

**SUMMARY OF PUBLIC MEETING
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD
FOR THE SUPERIOR COURT**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened, Thursday, May 5, 2011, at 10:00 a.m., Conference Room 230, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Present at the meeting were the following individuals:

Jim Bruner, Chair	Jason Hathcock, Board Member	Lu McLendon, Secretary
Kevin Kluge, Board Member	Mark Smalley, Board Member	Leticia Chavez, Recorder
Phil Hanley, Board Member	Michael Anthony, Attorney	AVTranz (Court Reporter)

Call to Order

Local Board Chair, Jim Bruner, called the meeting to order at 10:00 a.m. Thursday, May 5, 2011 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

Approval of the Minutes

- a. April 7, 2011, Public Meeting Summary and Minutes (AVTranz)

The Chair called for any corrections or additions to the minutes.

MOTION: A motion for approval of the April 7, 2011 Public Meeting Summary and Minutes and was made by M. Smalley. Motion was seconded and passed unanimously minutes stand approved. **CORP 2011-19**

Disability – The Local Board may go into Executive Session for discussion of medical documentation and to receive legal advice for the following Disability pursuant to A.R.S. 38-431 (A) (2 & 3).

- a. #11-01- Ordinary Disability Retirement

At its April 7, 2011 meeting the Local Board Secretary advised the Board of two pending issues pertaining to this case. First, was that there were the issues of both a medical (physical) and a mental condition. Second, was the issue of the Local Board not having a copy of the applicant's CORP Physical Exam and was unable to determine if the applicant has any pre-existing conditions. Since then, the Local Board office has received a copy of the applicants CORP Physical exam from Concentra and presented it to the Board for review. The exam is not complete as it is missing some pages but it clearly states the applicant had no pre-existing condition related to her current condition. Also during its April 7, 2011 meeting, the Board Attorney addressed the Board with his concerns regarding the IME letter that was sent to Dr. Don. To obtain clarification of the applicant's not only mental but physical condition the Board requested the IME doctor be sent the specific questions as developed by the Board Attorney for clarification. The Local Board office received the clarification response from Dr. Don May 2, 2011; however, the notifications letter to claimant was mailed out prior to receipt of the IME. As a result, the Board Attorney stated that since the applicant was not sent the second response from

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Dr. Don the Board could not hear the case and action was tabled until the next regularly scheduled meeting of the board.

Approval of Normal Retirement – The Local Board may consider and vote on the approval of Normal and Reverse DROP Retirement benefits for the following applications or defer decision to a later date.

- a. Sue McLaughlin (RDrop)
- b. Rita Shepherd
- c. Keith Wallock

MOTION: A motion to approve payment of benefits, for applications (a-c) for Normal and Reverse DROP Retirement was made by P. Hanley. Motion was seconded and passed unanimously. **CORP 2011-20**

Approval of Membership – The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date.

- a. Heidi Sample (04/11/2011) - Pima
- b. Francisco Gonzalez (04/12/2011) - Pima
- c. Jeremy Heil (04/25/2011) – Yuma
- d. Jeremy Trujillo (04/25/2011) - Pima

MOTION: A motion to approve the (4) employees requesting membership into CORP was made by K. Kluge. Motion was seconded and passed unanimously. **CORP 2011-21**

Return to Work Criteria for Retirees in Designated CORP Position – The Local Board may consider and vote on the approval of the following request or defer decision to a later date.

- a. Question from Member Carolyn Andrews

The Local Board Office received a question from soon to be retired member Carolyn Andrews regarding return to work criteria for retirees. Ms. Andrew's is requesting the Board determine if she could still collect her retirement pension while returning to work part-time as a Juvenile Probation Officer which the Joinder Agreement clarifies as a designated position. The Board Attorney advised the Board that since the member will only work 19 hours per week the position would be classified as a "non-designated position" and the member would be permitted to return to work and continue to receive a retirement pension.

Some members of the Board had some concerns regarding this issue. The concern is that the Statutes do not state that a position is designated by the number of hours a member works but by the position they hold. *A.R.S. 38-884 (J) (1 & 2) state that, A retired member may become employed by an employer in a designated position and continue to receive a pension if the employment occurs at least twelve months after retirement. The retired member shall not*

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Contribute to the fund and shall not accrue credited service If a retired member becomes employed by an employer in a designated position before twelve months after retirement: 1. Payment of the retired member's pension shall be suspended until the retired member again ceases to be an employee. The amount of pension shall not be changed on account of service as an employee subsequent to retirement. 2. The retired member shall not contribute to the fund and shall not accrue credited service.

Another concern Board members had was if the CORP office was being notified by the counties of retired members returning to work. The Board Secretary stated that all CORP members, returning to work, in a CORP designated position, are required to complete a membership form, however the CORP office has not received any forms for return to work part-time employees. Members of the Board feel communication to the counties should be drafted to ensure all counties are aware the retirement office must be notified of all return to work members whether they are working full or part time.

General Discussion

a. CORP Election Nomination Process

The Board Secretary advised the Board that all nominations have been mailed and voting ballots with the top 10 nominees will be mailed to all members May 31, 2011.

Call to Public

Summary Transcribed May 5, 2011